

REMARKS

Request for Reconsideration

Applicants have carefully considered the matters raised by the Examiner in the Office Action dated July 21, 2004 and in the Advisory Action dated December 17, 2004, but remain of the opinion that patentable subject matter is present. Applicants respectfully request reconsideration of the Examiner's position based on the above amendments to the claims and the following remarks.

Claims Status

Claims 1, 17, 18, and 22 have been amended herein. Claims 14, 16, 19, 20, and 23-25 have been cancelled herein, while Claims 4 and 21 had been previously cancelled. Thus, the claims currently under prosecution are Claims 1-3, 5-13, 15, 17, 18, and 22.

Claim Amendments

This amendment leaves Claim 1 as the only independent claim upon which all other claims depend. Claim 1 has been amended herein to highlight one of the novel aspects of the present Invention, namely, that the method is directed to high volume retail customers. Claim 1 has been amended to

specifically recite that the multiple discounts are sent to high volume retail customers and to recite the additional step of said supplier determining said high volume retail customers.

As brought out in the Application starting in the middle paragraph of page 4, the supplier issues the discount vehicle to customers who purchase high volume of specific services or products. By focusing on high volume customers, the supplier attempts to shift the purchasing power of the high volume customer to the service or products of the supplier. As brought out in the first full paragraph on page 5, the supplier determines which particular customers purchase a high volume of services or product and then targets those customers with the discount vehicle. As brought out in the last paragraph on page 6, the supplier can minimize his expense by focusing on this narrow group of retail customers while maximizing the purchasing frequency of these high volume customers.

In order to emphasize these aspects of the present Invention, Claim 1 has been amended herein.

Furthermore, Claims 16 and 20 have been cancelled.

With respect to Claims 17, 18 and 22, they have been amended to make them ultimately dependent upon Claim 1. Thus, all of the claims currently under prosecution ultimately depend upon Claim 1 and Claim 1 has been amended herein to highlight the fact that the supplier has to determine high volume retail customers and then to send their discount vehicle to these high volume retail customers.

Prior Art

In the previous Office Actions, the Examiner has relied on two references, Fajkowski and Valencia. Neither one of these references teach nor suggest that their discount vehicles should be sent to high volume retail customers and neither of these references specifically recite that the supplier has to determine who the high volume discount purchasers are. Thus, it is respectfully submitted that the claims as amended define over these references.

It is only the Applicants that have determined that, by focusing the discount card on the high volume retail customers, a supplier can minimize its expenses while

generating maximum purchasing frequency. Such a marketing strategy is neither taught nor suggested in either Fajkowski and Valencia.

In view of the foregoing, it is respectfully submitted that the claims as presented herein are patentable over the references taken alone or in combination.

Two Month Extension of Time

A two month extension of time is hereby requested and PTO Form 2038 is enclosed herewith authorizing payment of the appropriate government fee. A one month extension had been requested in the previous Response, thus, only an additional two months are necessary for a timely Response. The fee submitted herein reflects the fact that a one month extension had been previously paid.

Should any further fees or extensions of time be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit account #02-2275.

Conclusion

In view of the foregoing, it is respectfully submitted that the Application is in condition for allowance and such action is respectfully requested.

Respectfully submitted,

MUSERLIAN, LUCAS AND MERCANTI, LLP

By:



Donald C. Lucas
(Attorney for Applicants)
475 Park Avenue South
New York, New York 10016
Tel. # (212) 661-8000

DCL/mr

Encl: Executed PTO Form 2038
Return receipt post-card